

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOSE LUIS JUNIOR CRUZ GUTIERREZ, *on behalf of
himself, FLSA Collective Plaintiffs and the Class,*

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>11/12/2024</u>

Plaintiff,

Case No.: 1:23-cv-07138

v.

ALBA CARTING & DEMOLITION INC, ET AL,

RULE 68 JUDGMENT

Defendants.

WHEREAS, pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants Alba Carting & Demolition, Inc., Alba Services, Inc., ARC Contracting, Inc., and Andrew Horan (collectively, “Defendants”), having offered to allow Plaintiff Jose Luis Junior Cruz Gutierrez (“Plaintiff”) to take a judgment against them, in the sum of Fifty Thousand Dollars and No Cents (\$50,000) (“Judgment Amount”), include all damages, including attorney’s fees and costs, related to Plaintiff’s FLSA claims asserted in the above-captioned action, to settle any and all individual claims asserted under the Fair Labor Standards Act (“FLSA”) in the above-captioned action brought by Plaintiff against Defendants, in accordance with the terms and conditions of Defendants’ Rule 68 Offer of Judgment dated November 1, 2024 and filed as Exhibit A to Docket Number 78;

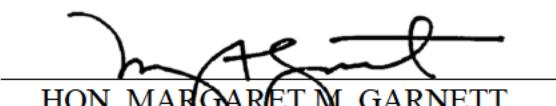
WHEREAS, on November 7, 2024, Plaintiff’s attorney having confirmed Plaintiff’s acceptance of Defendants’ Offer of Judgment (Dkt. No. 78);

It is **ORDERED, ADJUDGED, AND DECREED**, that judgment is entered in favor of Plaintiff Jose Luis Junior Cruz Gutierrez, in the sum of \$50,000.00, in accordance with the terms

and conditions of Defendants' Rule 68 Offer of Judgment dated November 1, 2024 and filed as Exhibit A to Docket Number 78. The Clerk of Court is respectfully directed to close this case.

SO ORDERED:

Dated: November 12 2024
New York, New York



HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE